

MESSAGE NO: 9196202 MESSAGE DATE: 07/15/2009

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: PRE-Preliminary PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-849

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 10/20/2008 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: PRELIM DETERM OF CIRCUMVENTION OF AD ORDER ON CUT-TO- LENGTH
CARBON STEEL PLATE FROM CHINA (A-570-849) PROD'D BY TIANJIN &/OR IMP'D BY
TOYOTA TSUSHO. CBP UNSET LIQS

MESSAGE NO: 9196202

DATE: 07 15 2009

CATEGORY: ADA

TYPE: PRE

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CASES: A - 570 - 849

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PERIOD COVERED: 10 20 2008 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: PRELIM DETERM OF CIRCUMVENTION OF AD ORDER ON CUT-TO-
LENGTH CARBON STEEL PLATE FROM CHINA (A-570-849) PROD'D
BY TIANJIN &/OR IMP'D BY TOYOTA TSUSHO. CBP UNSET LIQS

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

1. THE DEPARTMENT OF COMMERCE INITIATED AN ANTIDUMPING
CIRCUMVENTION INQUIRY WITH RESPECT TO THE ANTIDUMPING DUTY
ORDER ON CERTAIN CUT-TO-LENGTH CARBON STEEL PLATE FROM THE
PEOPLE'S REPUBLIC OF CHINA (A-570-849) (SEE 73 FR 62250,
DATED 10/20/2008).

ON JULY 14, 2009, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE FEDERAL REGISTER ITS NOTICE OF AN AFFIRMATIVE PRELIMINARY DETERMINATION OF CIRCUMVENTION OF THE ANTIDUMPING DUTY ORDER ON CERTAIN CUT-TO-LENGTH CARBON STEEL PLATE FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-849), WITH RESPECT TO CERTAIN PRODUCTS PRODUCED BY TIANJIN IRON AND STEEL CO., LTD. (TIANJIN) AND/OR IMPORTED BY TOYOTA TSUSHO AMERICA, INC. (TOYOTA TSUSHO) (SEE 74 FR 33991, DATED 07/14/2009).

2. THE PRODUCTS COVERED BY THIS CIRCUMVENTION INQUIRY ARE THOSE PRODUCED BY TIANJIN AND/OR IMPORTED BY TOYOTA TSUSHO WHICH:

A) CONTAIN 0.0008 PERCENT OR MORE BORON, BY WEIGHT;

B) DO NOT MEET ALL THREE OF THE FOLLOWING CRITERIA:

(I) AN ALUMINUM LEVEL OF 0.02 PERCENT OR GREATER, BY WEIGHT;

(II) A RATIO OF 3.4 TO 1 OR GREATER, BY WEIGHT, OF TITANIUM TO NITROGEN; AND

(III) A HARDENABILITY TEST (I.E., JOMINY TEST) RESULT INDICATING A BORON FACTOR OF 1.8 OR GREATER; AND

C) OTHERWISE MEET THE DESCRIPTION OF THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON CERTAIN CUT-TO-LENGTH CARBON STEEL PLATE FROM THE PEOPLE'S REPUBLIC OF CHINA.

THE MERCHANDISE COVERED BY THIS INQUIRY IS CURRENTLY CLASSIFIED IN THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES (HTSUS) UNDER ITEM NUMBERS 7225.40.3050, 7225.99.0090, 7226.91.5000, AND 7226.99.0180.

ALTHOUGH THE HTSUS SUBHEADINGS ARE PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, THE WRITTEN DESCRIPTION OF THE PRODUCTS COVERED BY THE CIRCUMVENTION INQUIRY IS DISPOSITIVE.

3. THE DEPARTMENT OF COMMERCE HAS PRELIMINARILY DETERMINED THAT ENTRIES OF MERCHANDISE DESCRIBED IN PARAGRAPH 2 ABOVE

ARE COVERED BY THE ANTIDUMPING DUTY ORDER ON CERTAIN CUT-TO-LENGTH CARBON STEEL PLATE FROM THE PEOPLE'S REPUBLIC OF CHINA.

THEREFORE, FOR ALL SUCH MERCHANDISE DESCRIBED IN PARAGRAPH 2 ABOVE AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 10/20/2008, CBP SHALL SUSPEND LIQUIDATION.

FOR EACH SUCH ENTRY, IN ACCORDANCE WITH ESTABLISHED POLICIES AND PROCEDURES, CBP SHALL REQUIRE CASH DEPOSITS IN ACCORDANCE WITH THOSE PREVAILING AT THE TIME OF ENTRY FOR THE EXPORTER.

4. FOR ALL ENTRIES DESCRIBED IN PARAGRAPH 3 THAT ARE SET FOR LIQUIDATION, THOSE ENTRIES SHOULD BE UNSET IMMEDIATELY.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY 07:SB).

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CHRISTINE M. FURGASON

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party